

**ENTERED**

July 06, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

CARLOS MARTINEZ,

Plaintiff,

VS.

SPACE EXPLORATION  
TECHNOLOGIES CORP. a/k/a SPACEEX,

Defendant.

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CIVIL ACTION NO. 7:22-cv-00208

**ORDER**

The Court now considers Defendant's "Notice of Removal"<sup>1</sup> filed on June 30, 2022. Under 28 U.S.C. § 1391(b)(2), "[a] civil action may be brought in a *judicial district* in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated."<sup>2</sup> "The district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought."<sup>3</sup>

While this case was removed from the 93rd Judicial District Court of Hidalgo County, Texas, the Court is not certain that it is the proper venue for Plaintiff's action. To begin, Plaintiff alleges that he worked for Defendant Space Exploration Technologies Corp. ("SpaceX") as a support technician performing welding duties beginning on or about February 2022.<sup>4</sup> Plaintiff does not allege *where* the location of his employment with SpaceX occurred. However, as far as this Court is aware, the SpaceX facility in south Texas, also known as "Starbase," is located in

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<sup>1</sup> Dkt. No. 1.

<sup>2</sup> 28 U.S.C. § 1391(b)(2) (emphasis added).

<sup>3</sup> 28 U.S.C. § 1406(a).

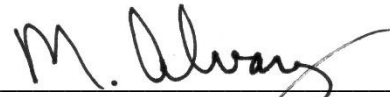
<sup>4</sup> Dkt. No. 1-2.

Cameron County, Texas. Additionally, Plaintiff asserts that he is “an Individual who resides in Cameron County, Texas.”

Thus, if the Court is correct, then this case is within the jurisdiction of the Brownsville Division of the United States District Court for the Southern District of Texas.<sup>5</sup> Accordingly, the Court hereby **ORDERS** Plaintiff to inform the Court where the events alleged in his original state court petition occurred, or otherwise inform the Court why venue is proper in the McAllen Division of the United States District Court for the Southern District of Texas no later than **July 13, 2022**.

IT IS SO ORDERED.

DONE at McAllen, Texas, this 6th day of July 2022.

A handwritten signature in black ink, appearing to read 'M. Alvarez', is written over a horizontal line.

Micaela Alvarez  
United States District Judge

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<sup>5</sup> 28 U.S.C. § 124(b)(5).